

7.0 Regulator and Stakeholder Interfaces

The Savannah River Site (SRS) works closely with various oversight groups, regulatory agencies, and stakeholders in accomplishing its work. The site is proud of the established relationships with these external parties and credits the cooperative nature of these relationships with many cleanup accomplishments achieved to date. In addition, the local communities and Congressional, state, and local officials typically are very supportive of SRS, understanding well the critical role SRS has played in the past and the critical nature of the cleanup work.

7.1 Regulatory Agencies

There are several key agreements that facilitate the accelerated cleanup of SRS. The Department of Energy (DOE) and its contractors will continue to proactively work with the State of South Carolina, regulators, Defense Nuclear Facility Safety Board (DNFSB), oversight groups, and stakeholders to facilitate the accomplishment of the environmental management cleanup and risk reduction objectives at SRS.

The Savannah River Site Federal Facility Agreement - In August 1993, DOE, the Environmental Protection Agency (EPA), and the South Carolina Department of Health and Environmental Control (SCDHEC), referred to as “the parties,” reached agreement on the cleanup of SRS and signed the *Federal Facility Agreement (FFA)*. The *FFA* governs the environmental remediation and high-level waste tank closure program at SRS. The major purpose of the *FFA* is to ensure that the environmental impacts associated with past and present activities are investigated and that appropriate corrective/remedial action is taken as necessary to protect the public and the environment. The document clearly establishes the roles and responsibilities of the three parties, lays the foundation for timely remediations conducted under the Resource Conservation and Recovery Act (RCRA), and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and describes the remediation

process and associated priority of environmental remediation projects. Appendices to the *FFA* specify the work to be done in any particular year and these appendices are negotiated annually with all three parties. The current *FFA Appendix E*, "Out Year Milestones," has been revised to align the SRS enforceable agreements with the renegotiated management and operations contract and with the new area closure strategy.

Memorandum of Agreement - In support of SR's accelerated cleanup objectives and the *2002 PMP*, a Letter of Intent was signed by DOE, SCDHEC, and EPA. In addition, a Memorandum of Agreement (MOA) among DOE, EPA, and SCDHEC was signed in July 2003, in which the parties agreed to support accelerated cleanup of SRS. To accomplish this, it was determined that the principle of area closure would be the implementing method. This principle of area closure includes the remediation of inactive waste units and the decommissioning of legacy facilities and will determine that areas are completed when all required response actions are completed. As an area is completed, an application is submitted for partial deletion of the respective area from the *National Priorities List (NPL)*. The goal is to delete all areas of the SRS from the *NPL*.

The agencies also agreed that the concept of area Records of Decision (ROD) is an appropriate tool for the resequencing of the *FFA* program to support area closure as the accelerated end date is being pursued. To the maximum extent practicable, entire areas of the SRS (e.g., a geographical area such as TNX) will be addressed as a consolidated unit to take advantage of characterization data, risk assessment, and integrated solutions that consolidate areas into an expanded operable unit to effect economies of scale and reduce administrative requirements.

In the MOA, the agencies made a commitment to work together to develop a *Comprehensive Cleanup Plan (CCP)* to achieve an earlier end date for the soil and groundwater remediation and facility decommissioning at SRS. This plan was completed in September 2003 and represents an accelerated cleanup program that has a clear objective to reduce risks to workers, the public and the environment. This plan supplements and communicates the integration and sequencing of soil and groundwater projects and deactivation and decommissioning projects in an area-by-area closure concept. For the purposes of the Soil and Groundwater Project, the *CCP* will become the background to the *FFA Appendices D and E*.

The SRS Site Treatment Plan - The *SRS Site Treatment Plan (STP)* is a document that requires radioactive mixed waste to be treated to hazardous waste standards within an agreed-upon schedule. High-level waste is an example of a radioactive mixed waste. The *STP* is enforceable by a consent order signed by SCDHEC and DOE. The *STP* lays out the approaches and schedule milestones for treating and managing radioactive mixed wastes that are stored or generated at SRS. These treatment approaches and milestones are determined to ensure SRS compliance with RCRA land disposal restriction requirements. The *STP* was required by the Federal Facility Compliance Act, and is updated annually to include an inventory of all mixed waste, status of all treatment residuals, an implementation schedule, and projections of new mixed waste streams at SRS or those to be received from offsite into SRS.

In addition to the above agreements, the state also regulates DOE compliance with various laws and regulations under established permits. These laws include the Clean Air Act, Clean Water Act, Safe Drinking Water Act, RCRA, etc.

7.2 Defense Nuclear Facilities Safety Board

The interface with the DNFSB is managed through implementation plans that can be updated on an as-required basis.

Implementation Plan for DNFSB Recommendations 94-1 and 2000-1 - In response to recommendations made by DNFSB, this plan describes the measures and schedule for stabilization of nuclear materials at SRS and other sites within the DOE Complex. SRS has made much progress against the milestones established in the *Implementation Plan* and is committed to continue meeting these milestones in a manner that safely manages the nuclear materials to protect the health and safety of SRS workers and the public. This *PMP* and Project Baseline Summaries (PBS) related to nuclear materials management are fully consistent with achieving the *Implementation Plan* milestones and will enable the site to continue, and even accelerate, meeting the milestones contained within the *Implementation Plan*.

Implementation Plan for DNFSB Recommendations 2001-1 - On March 23, 2001, the DNFSB issued *Recommendation 2001-1, High-Level Waste Management at the Savannah River Site*. The recommendation addresses the need for the DOE to ensure that the margin of safety and amount of tank space in the SRS high-level waste system is sufficiently maintained to enable timely stabilization of nuclear materials. The DNFSB has continued to closely follow the evolutions in the high-level waste program, including the issues with respect to the waste incidental to reprocessing litigation.

The *Implementation Plan* for this recommendation outlines the actions DOE and its contractors will take to ensure continued safe storage of HLW while maintaining operational flexibility and progress in the stabilization of material currently held in HLW storage tanks. Actions include pumping down liquid levels to below the lowest leak sites in two tanks, implementing an alternative salt disposition process, re-evaluating waste treatment and storage options, and conducting an independent assessment of the contractor incentives. DOE has been aggressively pursuing resolution of the issues highlighted in *Recommendation 2001-1* and many of these actions are already complete or are presently ongoing.

The *PMP* and PBSs related to the high-level waste system are consistent with achieving the *Implementation Plan* milestones and will enable the site to continue, and even accelerate disposition of HLW.

Additional program-specific or facility-specific issues raised by the DNFSB will be addressed.

7.3 Stakeholders

The SRS Citizens Advisory Board - The SRS Citizens Advisory Board (CAB) was developed in response to comments from stakeholders on the proposed SRS

FFA and Public Participation Plan. The CAB began operations in February 1994 and is comprised of 25 individuals from South Carolina and Georgia that reflect the cultural diversity of the population affected by SRS. The CAB consists of volunteers from a variety of backgrounds that represent academia, business, labor groups, public officials, environmental organizations, minority groups, and the general public.

The CAB provides advice and recommendations to DOE, EPA, and SCDHEC on environmental remediation, waste management, and related issues.

The CAB plays a key role in the environmental cleanup work at SRS. The CAB has passed over 180 recommendations on environmental cleanup such as nuclear materials disposition, high level waste disposition, transuranic waste disposition, and environmental restoration. The CAB was very involved in providing comments and issues during the preparation of the *2002 PMP* and the *2004 PMP*. Responses were provided for all CAB and public comments.

South Carolina Governor's Nuclear Advisory Council – The South Carolina Governor's Nuclear Advisory Council (Council) is charged with advising the Governor on numerous issues pertaining to the nuclear industry in South Carolina, including the Atlantic Compact, the Barnwell commercial low-level radioactive waste disposal facility, SRS, and others. In December 2002, the Council sent a letter to the Governor of South Carolina reporting their concerns on DOE's *Top-to-Bottom Review of the EM Program*. Of primary concern was the disposal of radioactive waste into Saltstone vaults. DOE and the Council have developed a productive working relationship on waste disposition issues.